

REMARKS

By this amendment, claims 255, 278, 322, and 351 have been amended. The specification has been amended to correct certain informalities. Accordingly, claims 250-351 are currently pending in the application, of which claims 250, 265, 279, 290, 301, 312, 323, and 338 are independent claims.

Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification. Support for the amendments may be found at least at page 32, lines 15-20 of the specification.

In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Claim Objection

In the Office Action, claim 255 was objected for being dependent from claim 255, which is a typographical error.

Claim 255 has been amended to depend from claim 250. This amendment is made for the sole purpose of correction. This amendment is not made for the purpose of avoiding prior art or narrowing the claimed invention, and no change in claim scope is intended. Therefore Applicants do not intend to relinquish any subject matter by this amendment. Applicants respectfully submit that claim 255, as amended, overcomes the stated objection. Accordingly, Applicants respectfully request withdrawal of the objection for claim 255.

Rejection of Claims under Double Patenting

Claims 250-351 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-102 of U. S. Patent No. 6,741,868 issued

to Park, *et al.* ("Park"). Applicants have submitted a first terminal disclaimer to overcome this rejection. Accordingly, Applicants respectfully request withdrawal of this double patenting rejection of claims 250-351.

Applicants note that "[t]he filing of a terminal disclaimer to obviate a rejection based on nonstatutory double patenting is not an admission of the propriety of the rejection [because] the filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor estoppel on the merits of the rejection" (MPEP § 804.02.II, citations omitted). Hence, the first terminal disclaimer included with this reply simply serves the statutory function of removing the double patenting rejection without raising a presumption or estoppel on the merits of the rejection.

Provisional Rejection of Claims under Double Patenting

Claims 250-351 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 250-321 of copending Application No. 10/825,281. Claims 250-351 also stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 260, 261, 272, 273, 288, 298, 309, 310, 320, and 322-327 of copending Application No. 10/825,281.

Claims 250-351 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 250-322 of copending Application No. 10/824,908.

Claims 250-351 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 250-291 of copending Application No. 10/824,909.

Claims 250-351 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 258-267, 275, and 283-291 of copending Application No. 10/825,280.

Claims 250-351 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 250-310 of copending Application No. 10/824,929.

Claims 250-351 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 250-291 of copending Application No. 10/824,927.

Claims 250-351 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 250-313 of copending Application No. 10/824,928.

Applicants have submitted a second terminal disclaimer to overcome these provisional rejections. Accordingly, Applicants respectfully request withdrawal of these provisional double patenting rejections of claims 250-351.

Applicants note that "[t]he filing of a terminal disclaimer to obviate a rejection based on nonstatutory double patenting is not an admission of the propriety of the rejection [because] the filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor estoppel on the merits of the rejection" (MPEP § 804.02.II, citations omitted). Hence, the second terminal disclaimer included with this reply simply serves the statutory function of removing the provisional double patenting rejections without raising a presumption or estoppel on the merits of the rejection.

Rejections Under 35 U.S.C. § 102

Claims 250, 251, 253, 255-259, 265, 267-270, 277, 300, 301, 303, 305-307, 308, 309, 323, 324, 326, 327, and 338 stand rejected under 35 U.S.C. 102(e) as being allegedly anticipated by U. S. Patent No. 5,946,634 issued to Korpela ("Korpela"). Applicants traverse this rejection for at least the following reasons.

In order for a rejection under 35 U.S.C. § 102(e) to be proper, a single reference must disclose every claimed feature. To be patentable, a claim need only recite a single novel feature that is not disclosed in the cited reference. Thus, the failure of a cited reference to disclose one or more claimed features renders the 35 U.S.C. § 102(e) rejection improper.

Applicants respectfully submit that Korpela fails to disclose every limitation of the present invention. Specifically, Applicants submit that Korpela fails to disclose every limitation of at least claims 250, 265, 301, 323, and 338.

Claim 250 recites, *inter alia*, "providing the terminal with a message including a core network operating type information representing an operating type of a core network." Korpela fails to disclose at least these features. The examiner asserts that Korpela discloses these features at Korpela's Fig. 9, steps 1202-1206, and at col. 6, lines 29-41. See Office Action, page 7. Applicants disagree.

Referring to Fig. 8 and col. 6, lines 15-25 of Korpela, a signal transmitted from the radio access network includes a country identification portion 101, a network identifying portion 103, and a backbone network type code 102. The backbone network type code 102 indicates, at most, "whether the network is, for example, a GSM network, a B-ISDN network, and so on," which is distinct from an operating type of a core network. Korpela, col. 6, lines 24-25. Neither the country identification portion 101, the network identifying portion 103, nor the backbone network type code 102 "represent[s] an operating type of a core network" such as a global system for mobile communications-mobile application part (GSM-MAP) or ANSI-41.

Applicants' position is further supported by section 10.2.1.1 CN Domain Identity of 3GPP Technical Specification TS 25.331 version 1.1.0 (1999-06), which is attached to this reply as an Appendix. Section 10.2.1.1 defines the CN Domain Identity as the element that "[p]oints out the core network domain (e.g. IP or PSTN/ISDN CN domain)" (emphasis added). Similarly, Korpela defines the backbone network type as "GSM networks, GSM evolutionary networks, or broadband ISDN (B-ISDN) networks." Korpela, col. 2, lines 38-40. Thus, it can be seen that Korpela's backbone network type corresponds to the CN Domain Identity. To the contrary, the CN Domain Identity in the present application is defined in the specification as a portion of "information related to core network," which is distinct from "core network operating type information" recited in claim 250. See, e.g., Specification, page 42, lines 14-16. More specifically, as described in reference to Fig. 9A:

core network operating type information CN Type of "0" or "1" is written in a first field of the Sync channel message and information elements related to the GSM-MAP network, PLMN identity information PLMN_ID, CN domain identity information and NAS system information, are sequentially written in the subsequent fields of the message.

Specification, page 44, lines 17-26 (emphasis added). Therefore, the CN domain identity refers to domain rather than operating type, and contains different information and is written in different message fields than the core network operating type information. Accordingly, Korpela's backbone network type code 102, which corresponds to the CN domain identity, does not disclose "core network operating type information."

Thus, because the country identification portion 101, the network identifying portion 103, and the backbone network type code 102 fail to disclose "core network operating type information representing an operating type of a core network," Korpela fails to disclose every feature of claim 250.

Similarly, claim 265 recites, *inter alia*:

messaging block for providing the terminal with the core network operating type information contained in a message through a predetermined channel.

Korpela fails to disclose at least these features. The examiner asserts that Korpela discloses a messaging block as block 102 shown in Fig. 8. See Office Action, page 8. Applicants disagree. The backbone network type code 102 indicates, at most, "whether the network is, for example, a GSM network, a B-ISDN network, and so on," which is distinct from an operating type of a core network. Korpela, col. 6, lines 24-25. Additionally, for at least the reasons asserted above with respect to claim 250, Korpela's backbone network type code 102 fails to disclose "core network operating type information" such as GSM-MAP or ANSI-41. Therefore, Korpela also fails to disclose every feature of claim 265.

Claims 279, 290, 301, 312, 323, and 338 recite similar limitations as claims 250 and 265. Therefore, for at least the reasons asserted above, Korpela fails to disclose every limitation of claims 279, 290, 301, 312, 323, and 338.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 102(e) rejection of claims 250, 265, 301, 323, and 338. Claims that depend from allowable claims 250, 265, 301, 323, and 338 are allowable at least for their dependence. Since none of the other prior art of record discloses or suggests all the features of the claimed invention, Applicants respectfully submit that independent claims 250, 265, 301, 323, and 338, and all the claims that depend therefrom, are allowable.

Rejections Under 35 U.S.C. § 103

Claims 252, 254, 266, 268, 325, 327, 339, and 341 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of Well Known Prior Art, of which the examiner takes Official Notice ("Well Known Prior Art"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that claims 250, 265, 323, and 338 are allowable over Korpela alone. The asserted Well Known Prior Art fails to cure the deficiencies of Korpela alone noted above with regard to claims 250, 265, 323, and 338. Hence, claims 252, 254, 266, 268, 325, 327, 339, and 341 are allowable at least because they depend from allowable base claims.

Claims 279-288, 290-292, 294, 297-302, 304, 312, 314, 322, 329, 334, and 335 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of U.S. Patent No. 6,389,008 issued to Lupien *et al.* ("Lupien"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that claims 301 and 323 are allowable over Korpela alone as noted above. Lupien fails to cure the deficiencies of Korpela alone with regard to claims 301 and 323. Hence, claims 302, 304, 329, 334, and 335 are allowable at least because they depend from allowable base claims.

Moreover, claims 279, 290, and 312 recite similar limitations as claims 250 and 265. Therefore, for at least the reasons asserted above with respect to claims 250 and 265, Korpela fails to disclose every limitation of claims 279, 290, and 312. Lupien fails to cure the deficiencies of Korpela alone with regard to claims 279, 290, and 312. Hence, claims 279-288, 290-292, 294, 297-300, 312, 314, and 322 are allowable at least because they depend from allowable base claims.

Claims 281, 283, 293, 295, 303, 313 and 315, stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of Lupien and further in view of Well Known Prior Art. Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that claims 279, 290, 301, and 312 are allowable over Korpela in view of Lupien. The asserted Well Known Prior Art fails to cure the deficiencies of

Korpela and Lupien alone with regard to claims 279, 290, 301, and 312. Hence, claims 281, 283, 293, 295, 303, 313 and 315 are allowable at least because they depend from allowable base claims.

Claims 263, 264, 336, and 337 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of 3GPP Technical Specification TS 25.331 V3.0 (1999-10) ("Specification"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that claims 250 and 323 are allowable over Korpela alone. The asserted Specification fails to cure the deficiencies of Korpela alone noted above with regard to claims 250 and 323. Hence, claims 263, 264, 336, and 337 are allowable at least because they depend from allowable base claims.

Claims 276, 277, 289, 296, 311, 321, 349, and 350 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of Lupien, and further in view of the Specification.

Applicants submit that claims 265, 279, 290, 301, 312, and 338 are allowable over Korpela in view of Lupien. The asserted Specification fails to cure the deficiencies of Korpela and Lupien noted above with regard to claims 265, 279, 290, 301, 312, and 338. Hence, claims 276, 277, 289, 296, 311, 321, 349, and 350 are allowable at least because they depend from allowable base claims.

Other Matters

In addition to the amendments mentioned above, various paragraphs of the specification, the drawings, and claims 278, 322, and 351 have been amended for the purposes of informality correction, better wording and clarification. These amendments are not made for

the purpose of avoiding prior art or narrowing the claimed invention, and no change in claim scope is intended. Therefore, Applicants do not intend to relinquish any subject matter by these amendments.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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